



12/8/04

## CONFERENCE REPORTS

### **SB 727 (Sanborn)**

SB 727 would allow grandparents the opportunity to seek an order for visitation with their grandchildren. Grandparents would have to overcome, by a preponderance of the evidence, the presumption that a fit parent's decision to deny grandparenting time would not create a substantial risk of harm to the child's mental, physical, or emotional health; if they are unable to do this, their motion would be dismissed. Should a grandparent overcome this presumption, the court would then have to consider whether ordering grandparenting time is in the child's best interests. If the court finds, by a preponderance of the evidence, that visitation time is in the child's best interests, an order for grandparenting time would have to be issued.

- The Senate adopted the Conference Report [RC 905: 37 yes, 0 no]. Immediate Effect was given to the Report.

## MESSAGES FROM THE HOUSE

### **SB 576 (EMERSON)**

SB 576 would increase fees for reviewing construction permits, certificate of need (CON) applications, and CON projects requiring capital expenditures. The bill would also require that licensure fees for health facilities, health agencies, and CON support the total cost of licensure activities rather than limiting the fee support to no more than half of the annual cost. The fee increases will raise approximately \$1.1 million in additional revenues.

- The Senate concurred with the House changes to SB 576 [RC 859: 34 yes, 1 no]. Immediate Effect was given to the bill.

### **SB 823 (Cropsey)**

SB 823 would convert part-time probate judges in Alcona, Baraga, Benzie, Iron, Missaukee, Montmorency, Ontonagon, Oscoda, and Presque Isle Counties to fulltime status. The probate judges in these counties also would have the jurisdiction and authority of a district judge. The bill would also add probate judges in Barry, Berrien, Isabella, Otsego, and Van Buren Counties to the list of probate judges who have the jurisdiction and authority of a district judge.

- The Senate concurred with the House changes to SB 823 [RC 907: 35 yes, 0 no].

## **SB 1434 (Stamas)**

SB 1434 is a technical clean up bill to PA232 of 1999, when the state conveyed property to Otsego county for a public purpose, including a law enforcement building. Now the County wants to lease the property for the purposes of a non-profit children's museum. However, the Attorney General needs the state to take out the reference to a law enforcement building in order to allow the museum.

- The Senate concurred with the House changes to SB 1434 [RC 860: 37 yes, 0 no]. Immediate Effect was given to the bill.

## **SB 1485 (Goschka)**

SB 1485 would allow the city of Saginaw to hold special police and fire millages -- due to the difficulty the city has had in passing general millages, their police force has decreased from 160 to 90 officers. The city believes that they would be more successful in passing a special assessment. Currently, only communities with less than 15,000 person can hold such millages.

Support: Michigan Municipal League.

- The Senate concurred with the House changes to SB 1485 [RC 861: 37 yes, 0 no]. Immediate Effect was given to the bill.

# **FINAL PASSAGE**

## **HB 4096 (Hager)**

HB 4096 would make several amendments to the Children's Ombudsman Act, by stating that (1) the governor's appointment for ombudsman be subject to the advice and consent of the Senate, (2) anybody may make a complaint to the ombudsman, (3) the ombudsman's ability to view information would more closely mirror FIA's, (4) the ombudsman is allowed to make recommendations to the governor and legislature, advocate, and pursue legal action on behalf of, children, and by (5) clarifying disclosure laws.

Support: Michigan's Children; Rich Bearup, former Ombudsman; family of Ariana Swinson; National Alliance for Parents and Families; NASW.

Oppose: Michigan Coalition Against Domestic and Sexual Violence.

- Hardiman 1 (S-2) was adopted [no RC].
- Hardiman 1C was adopted [no RC].
- HB 4096 passed with IE [RC 904: 37 yes, 0 no].

## **HB 4586 (Vander Veen)**

The bill would add to the list of persons eligible to obtain otherwise confidential child abuse records. Specifically, the bill would require the director of the Family Independence Agency to release specified information in a child abuse or neglect case in which a child who was part of the case has died. Providing for the disclosure of child protection records when a child dies while in the custody of the state, a contracted agency, or a foster care parent, serves as just one mechanism to bring about greater accountability in the child welfare system.

- JACOBS 1 was adopted [no RC].
- HB 4586 passed with IE [RC 902: 37 yes, 0 no].

#### **HB 4817 (Farhat)**

HB 4817 would address the hurdles that consumers experience when seeking to enter into certain financial transactions but are prevented from or hindered in doing so because no discharge was recorded from a pre-existing mortgage. Under this bill, when a discharge of mortgage received by the Registrar of Deeds is not recorded on the day it is received, the Register of Deeds must place on or attach to the discharge, by means of a stamp, electronically, or otherwise, the date the discharge is received.

Support: Michigan Bankers Association, Michigan Credit Union League, Michigan Association of Homebuilders, Michigan Mortgage Bankers Association, Michigan Mortgage Lenders Association.

- HB 4817 passed with IE [RC 884: 37 yes, 0 no].

#### **HB 4969 (CONDINO)**

HB 4969 is necessary to make state law consistent with federal law by allowing Individual Development Accounts to be used to save for college, or to open a business (in addition to their currently allowable use of saving for a home). It would also add a ceiling of \$5,000 on Individual Development Accounts established by clients of the Family Independence Agency (FIA). This ceiling represents the maximum amount that FIA would disregard in determining eligibility for its financial assistance programs.

Support: Family Independence Agency, the Michigan IDA Partnership, the Center for Civil Justice.

- HB 4969 passed with IE [RC 869: 37 yes, 0 no].

#### **HB 5035 (Milosch)**

HB 5035 would change the composition of the Mobile Home commission to expand the commission to reflect more elements of manufactured housing community. The revised Mobile Home Commission would be comprised of 13 members. The Governor would still appoint each person for a three-year term.

- HB 5035 was discharged from committee [no RC].
- Garcia 1 (S-1) was adopted.
- Garcia 1A was adopted.
- HB 5035 was moved to 3<sup>rd</sup> Reading.
- HB 5035 passed with IE [RC 906: 37 yes, 0 no].

#### **HB 5055 (Ward)**

HB 5055 would specify that soil erosion permits “run with the land” and all obligations shall transfer with a transfer of ownership and be the responsibility of the new owner for the term of the permit. The bill further requires that seller’s must notify prospective purchasers of the permit.

Support: Michigan Association of Home Builders, Michigan Municipal League.

- HB 5055 passed with IE [RC 862: 37 yes, 0 no].

## **HB 5116 (Richardville)**

HB 5116 provides that the Department of Community Health shall establish and maintain a lead safe housing registry that indicates dwellings and facilities determined by a certified risk assessor to be free of lead-based paint hazards. Certain dwellings must be registered, and other facilities are permitted to be registered. This bill is almost identical to Senate Bill 756 as passed by the Senate.

- HB 5116 passed with IE [RC 870: 37 yes, 0 no].

## **HB 5194 (SHELTROWN)**

House Bill 5194 allows a person to vote by absentee ballot, by mail in an election for the board of directors of a conservation district.

[Conservation district boards are composed of five members that serve four year terms and are elected by residents of the district at the district's annual meeting. Under current law, a person who is unable to attend the annual meeting may vote by absentee ballot only by going in person to the conservation district office.]

- HB 5194 passed with IE [RC 866: 37 yes, 0 no].

## **HB 5372 (Garfield)**

### **HB 5373 (Nofs)**

The two bills would require a person to be imprisoned until his or her arraignment or preliminary examination, if he or she were arrested for the felony of nonpayment of support, unless the person deposited a cash bond.

HB 5372 would require the court, if a bench warrant had been issued for unpaid support, to require that the payer, upon being arrested on a felony warrant for the nonpayment of support, remain in custody until the preliminary examination, unless he or she deposited a cash performance bond as required by the Act. Upon notification that a payer who had an outstanding bench warrant had been arrested or arraigned on a felony warrant for nonpayment, the court would have to order recall of the bench warrant.

- Hardiman 1 was adopted [no RC].
- HB 5372 passed with IE [RC 871: 37 yes, 0 no].

HB 5373 would require an individual, upon being arrested for the felony of nonpayment of support, to remain in custody until the arraignment unless he or she deposited a cash bond of at least \$500 or 25% of the arrearage, whichever was greater. If the individual remained in custody, the court would have to address the amount of the bond at the arraignment and at the preliminary exam. Except for good cause shown on the record, the court would have to order the bond to be continued at the level described above. At its discretion, the court could set the bond at up to 100% of the arrearage and add to that amount the costs that the court may require.

- HB 5373 passed with IE [RC 872: 37 yes, 0 no].

## **HB 5417 (CLACK)**

HB 5417 would remove two sunset provisions in the Social Welfare Act related to penalties for noncompliance with work requirements and exemptions to certain individuals from work requirements. The bill is necessary to correct a mistake made to the Social Welfare Act during the deliberations of Public Act 280. Apparently the

intent of the sunset provision was not to require exempt individuals to participate in work activities. Absent the bill, the parents of newborns, recipients of SSI, and disabled individuals – people with a demonstrated hardship and significant barrier to meeting the work participation requirements – would be required to find work (or participate in some other work activity). These individuals are exempt from the work requirements, because the work requirements are generally not feasible.

- HB 5417 passed with IE [RC 873: 37 yes, 0 no].

### **HB 5551 (Ward)**

HB 5551 would provide that delinquent lessee-user taxes shall be collected at the same time and in the same manner as (business) personal property taxes under the General Property Tax Act. The current collection method requires a court order, which forces local units to go to court before demanding the tax. Under the bill, the local units would be allowed to seize and sell property to secure the payment of the tax (which is faster and cheaper than going to court). There is apparently a local problem in Milford Township with collecting such taxes from a golf course which rents land owned by the City of Dearborn.

Support: MTA, MML, MAC, Assoc. of County Treasurers, Milford Twp.

- HB 5551 passed with IE [RC 874: 37 yes, 0 no].

### **HB 5637 (Hoogendyk)**

HB 5637 would require the Department of Community Health to establish and administer a grant program to provide grants for the purchase of ultrasound equipment.

Oppose: Planned Parenthood.

- Hammerstrom 1 was adopted [no RC].
- HB 5637 passed with IE [RC 896: 37 yes, 0 no].

### **HB 5668 (Julian)**

HB 5669 would provide new and increased penalties for the possession of counterfeit cigarettes. The bill would extend to counterfeit cigarettes the same penalties that currently exist for the illegal possession, acquisition, transportation, or offering for sale of cigarettes and tobacco products.

- HB 5668 passed with IE [RC 878: 37 yes, 0 no].

### **HBs 5724-76 (Palmer)**

HBs 5724-26 address the disposition of property taxes paid by businesses going through bankruptcy proceedings, apparently to address an issue which arose in Bruce Township. In that case, a business going through bankruptcy paid taxes to the township, which then forwarded them to other units of government, including schools and the state. The bankruptcy trustee then sued for the return of the taxes, and the state refused to return the taxes and, essentially, left the township on the hook.

Support: MML, MAC, MTA, Assessors.

HB 5724 would require local tax collecting units to return to other local taxing units or to the state treasurer any amount of tax erroneously collected or an amount required to be returned by court order in a bankruptcy proceeding, upon the request of the taxing unit or state treasurer.

- **HB 5724 passed with IE [RC 875: 37 yes, 0 no].**

HB 5725 would eliminate current language requiring foreclosure proceedings and instead provide that the industrial facilities tax becomes a lien on the property on the date the tax is levied, except in circumstances described by the bill.

- **HB 5725 passed with IE [RC 876: 37 yes, 0 no].**

HB 5726 would require the state treasurer to return, upon request, any amount of taxes erroneously collected or an amount required to be returned by court order in a bankruptcy proceeding to local tax collecting units, school districts, or intermediate school districts.

- **HB 5726 passed with IE [RC 877: 37 yes, 0 no].**

### **HB 5833 (Milosch)**

HB 5833 would allow financial institutions to establish and invest in collective investment funds. The bill essentially incorporates into state statute the language from the federal Office of the Comptroller of the Currency. The bill would bring the state and federal regulations on this subject into conformity.

- **Bishop 1 (S-2) was adopted [no RC].**
- **HB 5833 passed with IE [RC 885: 36 yes, 0 no].**

### **HB 5870 (Richardville)**

#### **HJR Z (Richardville)**

HB 5870 would: 1) Provide in statute for the Conservation and Recreation Legacy Fund and the restricted accounts that House Joint Resolution (HJR) Z would create in the State Constitution. 2) Replace existing funds with the restricted accounts, and transfer to the accounts the balance of the existing funds on the bill's effective date. 3) Dedicate to the accounts the revenue that presently is credited to the existing funds. 4) Allow the accounts to be used for the same purposes for which the funds may be used, as well as (in most cases) grants to State colleges and universities to implement programs funded by the accounts. 5) Re-establish the existing Game and Fish Protection Trust Fund and the Nongame Fish and Wildlife Trust Fund as the Michigan Game and Fish Protection Trust Fund and the Michigan Nongame Fish and Wildlife Trust Fund, which H.J.Z. would create in the Constitution.

- **HB 5870 passed with IE [RC 867: 37 yes, 0 no].**

HJR Z would amend Article IX of the State Constitution to: 1) Create the "Michigan Conservation and Recreation Legacy Fund". 2) Require the State Treasurer to establish within the Legacy Fund specific restricted accounts, and allow the Treasurer to establish additional subaccounts as authorized by law. 3) Require money in the accounts to be spent only for specific purposes. -- Establish the Michigan Game and Fish Protection Trust Fund and the Michigan Nongame Fish and Wildlife Trust Fund within the Constitution.

- **HJR Z passed with IE [RC 901: 32 yes, 4 no].**

## **HB 5875 (Moolenaar)**

## **HB 5913 (LaJoy)**

### **SCHOOL COOPERATIVE PURCHASING PROGRAM**

HB 5875 and HB 5913 would create a cooperative purchasing program for public schools to be administered by the Department of Management and Budget.

House Bill 5875 would specify that intermediate school districts, local school districts, and public school academies would not be required to obtain competitive bids for items purchased through the cooperative bulk purchasing program operated by the Department of Management and Budget (that would be created under House Bill 5913).

- **HB 5875 passed with IE [RC 893: 37 yes, 0 no].**

House Bill 5913 would require the department to create and operate a cooperative bulk purchasing program for local school districts, public school academies, and intermediate school districts, in order to reduce the costs of purchasing goods and services for public schools.

- **HB 5913 passed with IE [RC 894: 37 yes, 0 no].**

## **HB 5920 (Kooiman)**

HB 5920 would end current law which currently makes the lessors and lessees of qualified commercial motor vehicles jointly and severally liable for taxes

Support: Mack Lease of Detroit, Star Truck Rentals Inc., The Car and Truck Rental and Leasing Assn. of Michigan, Michigan Trucking Association. -- Current joint and several liability provisions impose an unfair contingent tax liability on lessors when lessees fail to pay taxes. They argued that lessors should not be held responsible for taxes owed by lessees who are not under the lessors' control or supervision. They also argue that Michigan is one of only 10 states that impose joint and several tax liability on lessors and lessees and that this puts Michigan-based leasing companies at a competitive disadvantage with companies based in states which do not impose joint and several tax liability.

Oppose: The Michigan Department of Treasury, The Michigan Department of Transportation opposes the bill. - The Michigan Department of Treasury indicates that leases for commercial motor vehicles are unusual in that they can transfer tax liability from one party to another. However, the department is not a party to these leases and does not have the ability to review them. Without the joint and several liability provisions of current law, the department is faced with the problem of trying to identify the responsible taxpayer. Furthermore, the department believes that joint and several liability provisions cause lessors to be more vigilant in ensuring that lessees comply with the act.

- **Gilbert 1 was adopted [no RC].**
- **HB 5920 passed with IE [RC 865: 37 yes, 0 no].**

## **HB 6008 (Hager)**

## **HB 6009 (Hager)**

## **HB 6010 (HARDMAN)**

### **ADOPTION LAW**



HB 6008 would require the court to provide a notice for hearing to all interest persons, including, among others, the prospective adoptive parents, the child's attorney or guardian, or any other agency or individual with a legitimate interest in the outcome of the motion.

- Committee 1 (S-1) was defeated [no RC].
- Cropsey 2 was adopted [no RC].
- HB 6008 was moved to 3<sup>rd</sup> Reading.
- HB 6008 was passed with IE [RC 897: 36 yes, 0 no]

HB 6009 would update portions of current adoption laws by replacing references to the Social Welfare Commission and the Department of Social Services with the Family Independence Agency.

- Committee 1 (S-1) was defeated [no RC].
- Cropsey 2 (S-3) was adopted [no RC].
- HB 6009 was moved to 3<sup>rd</sup> Reading.
- HB 6009 was passed with IE [RC 898: 36 yes, 0 no]

HB 6010 would add that the purpose of the code is also to achieve permanency and stability for adoptive children as quickly as possible, and to support the permanency of a finalized adoption by allowing all interested parties to participate in proceeding regarding the adoptive child.

- Committee 1 (S-1) was defeated [no RC].
- Cropsey 2 (S-2) was adopted [no RC].
- HB 6010 was moved to 3<sup>rd</sup> Reading.
- HB 6010 was passed with IE [RC 899: 36 yes, 0 no]

#### **HB 6020 (Rocca)**

HB 6020 would create a new act to designate May 15 each year as Police Officers Memorial Day, "in recognition of the men and women who have lost their lives while serving as law enforcement officers in the state of Michigan".

- HB 6020 passed with IE [RC 891: 34 yes, 0 no].

#### **HB 6033 (Drolet)**

HB 6033 would create the "Ronald Wilson Reagan Memorial Monument Fund Act" to establish the Ronald Wilson Reagan Memorial Monument Fund in the Department of Treasury to finance the construction and maintenance of a monument dedicated to the memory of the former president. The bill is tie-barred to Senate Bill 1317, which would create the "Ronald Wilson Reagan Memorial Monument Fund Commission Act" to govern the Fund and provide for the construction of the monument.

- HB 6033 passed with IE [RC 903: 24 yes, 12 no].

#### **HB 6036 (Wenke)**

HB 6036 would exempt from taxes (from property taxes) property owned by qualified conservation organization that was held for conservation purposes and that was open to all residents of the State for



educational and recreational use. This use would include such low-impact, nondestructive activities as hiking, bird watching, cross-country skiing, and snowshoeing.

- **HB 6036 passed [RC 877: 37 yes, 0 no].**

#### **HB 6046 (Ward)**

HB 6046 would require that the Director of the Department of Labor and Economic Growth make the Michigan Building Code, the Michigan Residential Code, the Michigan Mechanical Code, the Michigan Uniform Energy Code, and the Michigan Rehabilitation Code available to the general public for at least 45 days before the code could be enforced. The code would have to be made available in printed, electronic, or other form that did not require the user to purchase additional documents or data in any form in order to have an updated complete version of each specific code, excluding other referenced standards within each code. The bill would not apply to any code effective before April 1, 2005.

- **HB 6046 passed with IE [RC 887: 36 yes, 0 no].**

#### **HB 6077 (TOBOCMAN)**

HB 6077 would establish the income guidelines for those eligible to participate in the programs offered by the Michigan State Housing Development Authority (MSHDA). This bill is necessary in order to update the family income eligibility criteria so more poor and moderate income people can participate in the authority's programs that increase affordable rental housing, home purchase, and home improvement.

Support: MSHDA, Michigan Association of Realtors, Community Economic Development Association of Michigan, Michigan Bankers Association, Michigan Municipal League Habitat for Humanity, and Michigan Housing Council.

- **HB 6077 passed with IE [RC 864: 37 yes, 0 no].**

#### **HB 6085 (Newell)**

HB 6085 would specify that some forensic security aides employed by the Department of Community Health who were transferred to positions as State correctional officers would have to be automatically certified by the Department of Corrections if they satisfied certain requirements. The DCH's Huron Valley Center is being transferred to the DOC, which will operate the facility as the Huron Valley Complex. The correctional facility will house both male prisoners currently at the Center and female inmates from the former Western Wayne Correctional Facility, and will offer expanded mental health care options to prisoners. To help facilitate the changeover, DCH employees working as forensic security aides at the Huron Valley Center and the Center for Forensic Psychiatry have been offered positions as correctional officers in the DOC facility.

- **HB 6085 passed with IE [RC 863: 37 yes, 0 no].**

#### **HBs 6102-04 (Newell)**

HBs 6102-04 would require the development of a statewide trauma care system, define "statewide trauma care system", and create a statewide trauma care advisory subcommittee.

HB 6102 require, within one year after the Statewide Trauma Care Advisory Subcommittee is established

(under provisions of House Bill 6104), the Department of Community Health to develop, implement, and promulgate rules for the implementation and operation of a Statewide Trauma Care System within the Emergency Medical Services System consistent with the "Michigan Trauma Systems Plan" prepared by the Michigan Trauma Coalition, dated November 2003.

- **HB 6102 passed with IE [RC 881: 37 yes, 0 no].**

HB 6103 would define the term “statewide trauma care system” as a comprehensive and integrated arrangement of the emergency services personnel, facilities, equipment, services, communications, medical control authorities, and organizations necessary to provide trauma care to all patients within a particular geographic region.

- **HB 6103 passed with IE [RC 882: 37 yes, 0 no].**

HB 6104 would create the Statewide Trauma Care Advisory Subcommittee under the emergency medical services coordination committee. The subcommittee would advise and assist the Department of Community Health on matters concerning the development, implementation, and promulgation of rules for the implementation and continuing operation of a statewide trauma care system.

- **HB 6104 passed with IE [RC 883: 37 yes, 0 no].**

#### **HB 6164 (Ward)**

#### **HB 6166 (Ruth Johnson)**

#### **HB 6206 (LaJoy)**

HB 6164, HB 6166, and HB 6206 would give local units of government the authority to enter into contracts with private developers in order to specify certain land uses as conditions to rezoning, a practice customarily known as contract zoning. Land use planners in counties, towns, and townships need many tools to ensure that land is re-developed and preserved in sensible, cost-effective, and aesthetically appropriate ways. Conditional zoning would enable local planners and property owners to rezone a parcel -- say an obsolete gas station or abandoned warehouse -- subject to explicit conditions that are specified in order to maintain high quality standards during the redevelopment. Conditional zoning would be part of a local unit of government’s land planning process, and any changes in the zone that were proposed would be subject to the same kinds of public notice and public hearings.

HB 6164:

- **SCHAUER 1 (1 amend) was adopted [no RC].**
- **HB 6164 passed with IE [RC 888: 36 yes, 0 no].**

HB 6166:

- **SCHAUER 1 (1 amend) was adopted [no RC].**
- **HB 6166 passed with IE [RC 889: 36 yes, 0 no].**

HB 6206:

- **SCHAUER 1 (1 amend) was adopted [no RC].**
- **HB 6206 passed with IE [RC 890: 36 yes, 0 no].**

#### **HB 6242 (Caswell)**

The Community College Act of 1966 currently includes a provision stating that, if a K-12 school district is

annexed to a community college district, the school district is entitled to elect a member to the board of trustees of the community college district. HB 6242 would make that provision effective only for annexations occurring before July 1, 2004.

- HB 6242 passed with IE [RC 895: 37 yes, 0 no].

### **HB 6243 (Casperson)**

HB 6243 would establish a surveillance fee paid by non-ferrous metallic mine lease holders. The fee rate would be adjusted annually to assure that only the amount needed to administer the regulatory program is collected (not more than 5 cents per ton).

Support: The Department of Environmental Quality, The Michigan United Conservation Clubs, The National Wildlife Federation, The Sierra Club-Mackinac Chapter, The Michigan Environmental Council, The Michigan Council of Trout Unlimited, The Michigan Farm Bureau, Minerals Processing Corporation, The Michigan Manufacturers Association, The Lake Superior Community Partnership, Kennecott Minerals Company, The Detroit Salt Company, LLC, The Front 40 Environmental Group.

Oppose: The Michigan Townships Association, Lake Township (Menominee County), The Keweenaw Bay Indian Community.

- PRUSI 1 was adopted [no RC].
- Birkholz 2 was adopted [no RC].
- HB 6243 passed with IE [RC 900: 37 yes, 0 no].

### **HB 6245 (Middaugh)**

HB 6245 would allow small hospitals to retain their status as a rural hospital, and therefore eligibility in the Medicare Rural Hospital Flexibility Program. Passage of the bill is considered to open up \$8 million to \$10 million in federal funds that would be lost otherwise.

Support: DCH, MHA, the following all support and would benefit: Borgess-Lee Memorial Hospital, Hills and Dales General Hospital, Sheridan Community Hospital, Kelsey Memorial Hospital, Lakeview Community Hospital, South Haven Community Hospital, Allegan Community Hospital, Hayes Green Beach Hospital, Eaton Rapids Community Hospital, Ionia County Memorial Hospital, Clinton Memorial Hospital.

- HB 6245 passed with IE [RC 879: 37 yes, 0 no].

### **HB 6284 (Palsrok)**

HB 6284 would make technical adjustments to Michigan's credit union laws. Support: Michigan Credit Union League, Michigan Association of Credit Unions, Michigan Bankers Association

- HB 6284 passed with IE [RC 886: 36 yes, 0 no].

### **HB 6295 (Pappageorge)**

HB 6295 would allow a non-judicial process for extinguishing platted easements of public utilities, under certain conditions. Currently under the law, a complaint must be filed in the circuit court in order to vacate,

correct, or revise a recorded plat. The complaint can be filed by the owner of a lot in a subdivision, a person of record acting on behalf of the owner, or the governing body of the municipality in which the subdivision is located.

- **HB 6295 passed with IE [RC 868: 37 yes, 0 no].**

## **THIRD READING**

### **HB 4231 (Koetje)**

### **HB 5364 (DANIELS)**

HB 4231 would: 1) Revise the definition of "abandoned vehicle". 2) Require a police agency that has received a vehicle that has been taken into custody as abandoned to notify the SOS within 24 hours. 3) Require the SOS, rather than the police agency, to notify the registered owner that the vehicle has been taken into custody. 4) Require the SOS to maintain an online database of abandoned vehicles. 5) Create the "Abandoned Vehicle Fund" to reimburse law enforcement agencies for abandoned vehicle recovery efforts, local units of government for nonpayment of vehicle towing and storage costs, and the SOS for administrative costs. 6) Require the owner of a vehicle that has been taken into custody as abandoned to pay a \$150 fee; and require the fee to be deposited into the Fund.

- **Gilbert 1 (S-2) was adopted.**
- **HB 4231 was moved to 3<sup>rd</sup> Reading.**

HB 5364 would: 1) Require a person who sold a vehicle either to accompany the purchaser to an SOS branch office to ensure transfer of the title, or to maintain a record of sale for at least three years, in order to avoid liability for any subsequent damages or violation of law resulting from the vehicle's use by the purchaser; and prescribe a civil fine for failure to do so. 2) Prohibit a person from abandoning a vehicle in this State, and prescribe a civil fine for a violation. 3) Reduce the time an owner has to remove a vehicle before it is considered abandoned. 4) Prohibit a vehicle owner from contesting the reasonableness of towing and storage fees for an abandoned or removed vehicle, if the fees were established by contract with the local governmental unit or local law enforcement agency.

- **Committee 1 (S-1) was defeated.**
- **Gilbert 1 (S-2) was adopted.**
- **Gilbert 2A was adopted.**
- **HB 5364 was moved to 3<sup>rd</sup> Reading.**

### **HB 4406 (KOLB)**

HB 4406 would prohibit a person from manufacturing, processing, or distributing a product or material containing more than 0.1% of penta-BDE, beginning June 1, 2006. A violation would be a misdemeanor punishable by a fine of at least \$2,500 but not more than \$25,000. Each day that a violation continued would be a considered a separate violation.

- **Committee 1 (S-1) was adopted. This would exempt existing auto parts from the PBDE ban.**
- **HB 4406 was moved to 3<sup>rd</sup> Reading.**

### **HB 4654 (LIPSEY)**

### **HB 5259 (Stahl)**

### **HB 5262 (Hart)**

HB 4654, HB 5259, and HB 5262 would establish a child support amnesty program and provide for the waiver of civil and criminal penalties for the support arrearage of a payer who complied with the program.

HB 4654:

- Hardiman 1 was adopted [no RC].
- Committee 1 (S-1) was adopted.
- HB 4654 was moved to 3<sup>rd</sup> Reading.

HB 5259:

- Hardiman 1 was adopted [no RC].
- Committee 1 (S-1) was adopted.
- HB 5259 was moved to 3<sup>rd</sup> Reading.

HB 5262:

- Hardiman 2 was adopted [no RC].
- Committee 1 (S-2) was adopted.
- HB 5262 was moved to 3<sup>rd</sup> Reading.

**HB 4787 (Kooiman)**

**HB 4788 (REEVES)**

HB 4787 would create and implement the House and Community Development program for the purpose of developing and coordinating public and private resources to meet the affordable housing needs of low income, very low income, and extremely low income households in Michigan. The Authority would have to identify, select, and make financing available to eligible applicants from money in the proposed Fund or from money secured by the Fund for this housing.

- Committee 1 (amends) was adopted.
- HB 4787 was moved to 3<sup>rd</sup> Reading.

HB 4788 would: 1) create and implement the "Michigan Housing and Community Development Program". 2) Create the "Michigan Housing and Community Development Fund". 3) Require MSHDA to spend money in the Fund for grants and loans to corporations and partnerships organized for the purpose of developing and supporting affordable housing for low income, very low income, or extremely low income households.

- HB 4788 was moved to 3<sup>rd</sup> Reading. No amendments.

**HB 5140 (PLAKAS)**

HB 5140 would allow some homes located in an enterprise zone within the city of Inkster to qualify for tax breaks under the enterprise zone law.

- HB 5140 was moved to 3<sup>rd</sup> Reading. No amendments.

**HB 5205 (Richardville)**

HB 5205 would provide for the registration of acupuncturists. The bill would: 1) Establish a \$75 application processing fee and an annual \$150 registration fee. Prohibit an individual from calling himself or herself an acupuncturist, or using certain other titles, without being registered.

Support: MI Assn. of Acupuncture and Oriental Medicine.

- Committee 1 (S-1) was adopted.
- HB 5205 was moved to 3<sup>rd</sup> Reading.

## RESOLUTIONS

### SR 241 (Brown)

A resolution to memorialize the President and the Congress of the United States to take steps to stabilize the steel market in this country, including such measures as establishing a temporary quota on scrap steel exports in order to ensure the availability of this raw material for domestic market needs and help contain escalating prices.

- Committee 1 (S-1) was defeated [no RC].
- Brown 2 (S-2) was adopted [no RC].
- SR 241 was adopted [no RC].

### SR 304 (BARCIA)

A resolution to urge the Department of Community Health to extend its moratorium on transferring forensic mental health patients to local facilities and on issuing ground passes until public safety measures are fully established and to work with the state's courts to address this issue.

- BARCIA 1 was adopted [no RC].
- SR 304 was adopted [no RC].

### SR 308 (Sikkema)

A resolution to revoke the Michigan Senate's previous endorsement of a tribal-state gaming compact, currently on file with the Secretary of the Senate, between the State of Michigan and the Match-E-Be-Nash-She-Wish Band of Pottawatomi Indians of Michigan (the Gun Lake Band) and terminating the Senate's prior recommendation that the Governor execute the compact.

- Previous question [RC 892: 24 yes , 13 no].
- SR 308 was adopted [no RC].